

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.05 G, Closed Area No. 27-A, Clark Island to Rackliff Island, St. George, promulgated on March 5, 1997, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.05 G, Closed Area No. 27-A, Eastern Wheeler Bay, St George

Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of Wheeler Bay in the following two areas:

- A. Inside and north of a line drawn east approximately 800 feet from the unnamed point at the northern mouth of Harrington Cove to a red painted post on the opposite shore in the town of St George, AND;
- B. That area on Calf Island in the town of St George, beginning on the northern most point of Calf Island and continuing in a southwesterly direction around the island to the island's most southwestern prominence.
- C. North of a line drawn from a red painted post at the western mouth of the cove to a red painted post on the eastern shore of the cove. This unnamed cove is located approximately 1600 feet northwest of the northern end of the Rackliff Island causeway.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: November 23, 1999

AGENCY CONTACT PERSON: Amy Fitzpatrick
Department of Marine Resources
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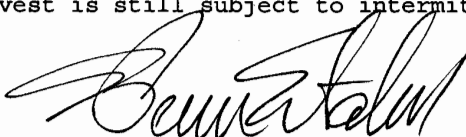
THE COURIER-GAZETTE
November 30, 1999

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.05 G, Closed Area No. 27-A, Eastern Wheeler Bay, St George, promulgated on March 5, 1997 and enacts a new regulation. This new regulation decreases the size of the original closed area by opening some of the flats on Wheeler Bay, St George.

Department personnel have sampled and surveyed this area and have determined that the portion just opened by this regulation is no longer subject to intermittent microbiological pollution. Consequently, shellfish can be harvested therein without threat to public health.

The portion that remains closed to harvest is still subject to intermittent microbiological contamination.



E. PENN ESTABROOK
Deputy Commissioner

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Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area

For: Saint George

C27-A, Eastern Wheeler Bay

